

canceled.

There remains for consideration the rejection of claim 5 as anticipated under 35 USC 102(e) by Kanemitsu et al '787, and the further rejection of claim 6 as unpatentable under 35 USC 103(a) over Kanemitsu et al '787. These rejections are respectfully traversed.

Regarding claim 5 the examiner states that the "flange of the Fig. 4 stepped blank is roller-shaped in the manner required by this claim." Applicants cannot agree. Fig. 4 of Kanemitsu et al '787 discloses "another example of the entire shape of the steel plate." We really do not know how the flange portion is formed. The only disclosure regarding Fig. 4 is found in column 5, lines 50-54 which state that "...the final thickened portion 12 may be first formed at the peripheral portion of the disk-like steel plate 1, which may then be bent and formed into a flanged cup shape, as shown in FIG.4.." There is no way of knowing from the disclosure in Kanemitsu et al that the step of, for example, "applying recessed annular forming faces ..." is taught. This limitation is found in claim 5. It is also not clear that the step of inclining "the flanged shaped portion....relative to the base plate during the forming step" is taught. This limitation is found in claim 6.

It is respectfully submitted that at least the limitations noted in claims 5 and 6 are not found in Kanemitsu et al '787 in any realistic way. Accordingly, it is respectfully submitted that claims 5 and 6 should also be allowed.

The examiner's indication that claim 8 is allowed is appreciated, but, as noted above, claims 5 and 6 should be allowed along with claim 8.

Regarding the finality of this Office Action, it is respectfully submitted that the finality is improper because a Response, which was in the nature of a preliminary amendment, was filed with the CPA. In such a situation, the first action on the merits in the CPA should not be made final since

the purpose of filing the CPA is eliminated, i.e., the reason for filing the CPA is to be given an opportunity to further amend, if necessary. a final rejection precludes any substantive amendment except that to cancel claim 7, which in fact is only formal.

The examiner is urged to reconsider this application in view of the above, and find claims 5 and 6 allowable along with claim 8, alternatively, the examiner is urged to withdraw his finality and permit further amendments to the claims, if necessary.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Felix J. B. Ambrosio', is written over the typed name.

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